

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Amendment of Section 73.202(b)

Table of Allotments

FM Broadcast Stations

(Vinton, Louisiana)

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)

MB Docket No. 02-212

RM - 10516

RECEIVED

SEP 30 2002

To: Assistant Chief, Audio Division
Media Bureau

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COUNTERPROPOSAL

Tichenor License Corporation ("TLC"), licensee of Stations KLTO(FM), Crystal Beach, Texas and KLAT-FM, Winnie, Texas, by its counsel, submits this Counterproposal in the above-captioned proceeding.¹ TLC requests that the Commission amend the FM Table of Allotments to (1) delete Channel 287A at Crystal Beach, allot Channel 287C2 at Winnie, and modify the license of KLTO accordingly; and (2) delete Channel 264C at Winnie, allot Channel 264C at Lumberton, Texas as that community's first local service, and modify the license of KLAT-FM accordingly. Crystal Beach will retain local service. The following table summarizes the changes requested in this Counterproposal:

City	Channel	
	Existing	Proposed
Crystal Beach, Texas	287A, 268C3	268C3
Lumberton, Texas	----	264C
Winnie, Texas	264C	287C2

I. PRELIMINARY MATTERS

1. If the Petition is granted, TLC will file applications to modify the license of KLAT-FM to specify operation on Channel 264C at Lumberton, and to modify the license of

¹ See Notice of Proposed Rule Making, DA 02-1866 (rel. Aug. 9, 2002) ("NPRM").

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KLTO to specify operation on Channel 287C2 at Winnie. Upon grant of the applications TLC will construct the facilities.

2. As indicated in the attached Engineering Statement, Exhibit E, Figure 3, the proposed allotment of Channel 287C2 at Winnie, Texas conflicts with the *NPRM* proposal to allot Channel 287A to Vinton, Louisiana. However, this Counterproposal should be favored over the Vinton proposal under the Commission's allotment priorities, since this Counterproposal offers a first local service to the larger community. Specifically, Lumberton, Texas has a 2000 U.S. Census population of 8,731, whereas Vinton, Louisiana has a 2000 U.S. Census population of only 3,338.² Since both proposals would further Priority 3, community population is the deciding factor. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982); *Elberton and Lavonia, Georgia*, 15 FCC Rcd 12571 (2000). In addition, TLC's proposal will provide new 60 dBu service to 269,619 persons.

II. COMPLIANCE WITH THE COMMISSION'S RULES

A. STATION KLTO, CRYSTAL BEACH TO WINNIE, TEXAS

1. Technical Analysis

3. Station KLTO can improve its facilities from Channel 287A to 287C2 and be reallocated from Crystal Beach to Winnie, Texas in compliance with the Commission's spacing rules. *See Exhibit E, Figure 3.* From the proposed reference point, the station will place a 70 dBu contour over all of Winnie. *See Exhibit E, Figure 4.* A gain-loss study is included in Exhibit E, Figure 5. The relocation will result in a net gain in 60 dBu service to a population of 269,619 persons and an area of 4,390 square kilometers. There is a small loss area which will remain well served by at least 5 aural services. *See Figure 6.*

² The Petitioner's claim that the population of Vinton is "in excess of 3500 people" appears to be incorrect.

2. Change in Community of License

4. In *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990) ("*Community of License*"), the Commission stated that it would not grant a change in community of license unless: (1) the proposed use of the channel was mutually exclusive with its current use; (2) the existing community of license would retain local service; and (3) the proposed arrangement of allotments was preferred over the existing arrangement under the Commission's allotment priorities. The proposed change in community of license of KLTO from Crystal Beach to Winnie satisfies these prerequisites. First, the proposed use of Channel 287C2 at Winnie is mutually exclusive with the current use of Channel 287A at Crystal Beach. *See* Exhibit E, Figure 3. Second, Crystal Beach will not be deprived of local service since Station KSTB will remain licensed to Crystal Beach. Third, the new arrangement of allotments is preferred under the Commission's priorities. Because Winnie will remain with one local service after the proposal has been implemented, the proper comparison is a first local service at Lumberton (priority 3) versus a second local service at Crystal Beach (priority 4). *See Revision of FM Assignment Policies and Procedures, supra.*

5. Winnie is not located within any Urbanized Area, nor will the 70 dBu contour of KLTO cover more than 50 percent of any Urbanized Area. Winnie clearly qualifies as a community for allotment purposes, as witnessed by the existing allotment there.

B. STATION KLAT-FM, WINNIE TO LUMBERTON, TEXAS

1. Technical Analysis

6. As demonstrated in the Exhibit E, Figure 1, Channel 264C can be allotted to Lumberton consistent with Section 73.207 of the Commission's Rules. A 70 dBu signal can be provided to Lumberton from the station's current transmitter site. *See* Exhibit E, Figure 2. No

change in the facilities of Station KLAT-FM is necessary in order to effectuate this change in community of license. As a result, there will be no gain or loss area resulting from the proposed change.

2. Change in Community of License

7. The proposed change in community of license of KLAT-FM from Winnie to Lumberton satisfies the prerequisites set forth in *Community of License, supra*. First, the proposed use of Channel 264C at Lumberton is mutually exclusive with the current use of Channel 264C at Winnie, since the same facility is used in either case. Second, Winnie will not be deprived of local service since Station KLTO proposes herein to relocate from Crystal Beach to Winnie. Crystal Beach will remain served by Station KSTB. Third, the Lumberton proposal is preferred under the Commission's priorities. As described above, the comparison that results is a first local service at Lumberton versus a second local service at Crystal Beach. *See Revision of FM Assignment Policies and Procedures, supra*.

8. Winnie is located outside all Urbanized Areas, while Lumberton is within the Beaumont, Texas Urbanized Area. However, since no change in facilities is proposed, KLAT-FM cannot be said to be moving to the Beaumont Urbanized Area -- it is already there. Therefore, this relocation should not implicate the Commission's policy concerning the potential migration of stations from underserved rural areas to well-served urban areas. Nevertheless, in similar situations the Commission has requested information on whether the new community of license should be awarded a first local service preference. *See Kankakee and Park Forest, Illinois*, 16 FCC Rcd 6768 (2001). Accordingly, TLC provides evidence regarding the independence of Lumberton from Beaumont.

9. In making the determination whether to award an urbanized community a first local service preference, the Commission will consider the extent the station will provide service

to the entire Urbanized Area, the relative populations and proximity of the suburban and central city, and, most importantly, the independence of the suburban community. *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). In this case, from its current transmitter site, KLAT-FM places a 70 dBu contour over 100 percent of the Beaumont Urbanized Area. However, this factor is of no significance, because KLAT-FM already places a 70 dBu contour over 100 percent of the Urbanized Area as stated above. Lumberton, located in Hardin County, is 22.1 kilometers from Beaumont, the county seat of Jefferson County. Lumberton is separate and distinct from the Beaumont and not part of a continuous urban mass. The 2000 Census population of Lumberton (8,731) is 8 percent of the population of Beaumont (113,866). These figures are similar to those of other suburban communities granted a first local preference. *See, e.g., Anniston, Alabama, et al.*, 16 FCC Rcd 3411, *recon. denied*, 2001 FCC Lexis 6055 (2001) and cases cited therein. In any event, the Commission has repeatedly stated that these factors are less important than evidence of independence. *See Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995). The following analysis of the eight *Tuck* factors demonstrates the independence of Lumberton from Beaumont.

(1) *Extent to which the residents of Lumberton, Texas work in the City of Lumberton.*

The population of Lumberton is 8,731 (2000 Census). This represents an increase of 31.5% from the 1990 U.S. Census figure of 6,640 for Lumberton. According to the 1990 U.S. Census Database, the last year for which statistics are available, 597 of the 3,138 workers (19.0%) work in Lumberton. *See Exhibit 1.*

(2) *Newspapers and other media that cover Lumberton's needs and interests.*

Lumberton residents are served by a local free newspaper, the *Hardin County News*. The *Hardin County News* is published each Wednesday and Sunday and has offices located in Lumberton. The newspaper began publication in 1970. The newspaper contains local news

articles on topics such as business, high school sports, construction projects, community events, community calendars, workshops and articles of interests. According to a newspaper staff person, local businesses advertise in the newspaper. *See Exhibit 1.*

The City of Lumberton maintains its own webpage at <www.cityoflumberton.com>. By accessing this webpage, city residents can become aware of a wide variety of facts and events concerning Lumberton, including information regarding city officials, public services, public meetings, city development, city job opportunities and community events. Sample pages are attached in Exhibit 1.

(3) Community leaders and residents perceive Lumberton as separate from Beaumont. The City of Lumberton has its own unique identity and history that are separate from that of Beaumont. Situated between U.S. Highways 69 and 96, Lumberton is a growing urban community located in Hardin County. According to Irene Hedgwood, Librarian of the Lumberton Public Library, present day Lumberton was founded as a result of local logging industry and the expansion of railroads in the area. In 1902, three railroad lines emerged to serve the logging industry and the saw mills. Modern Lumberton emerged from three communities that were founded to serve the local logging industry, Low, Chance and Lumberton. By 1950, the lumber industry had stagnated and Lumberton evolved into an urban residential community. Lumberton was incorporated in 1973.

(4) Lumberton has its own local government and elected officials. Lumberton's city government functions independently of any other governmental units. Lumberton is located in Hardin County, and receives no governmental services from Beaumont, located in Jefferson County. The City of Lumberton has adopted a mayor/council form of government. The city government structure is composed of an elected mayor and six council members, who serve three-year terms. The City Council staff includes the following: a city manager,

city secretary, city attorney and city engineer. According to the Lumberton City Secretary, Susan Collins, the City of Lumberton government has numerous departments such as administrative, municipal court, public works, and police. Among the services provided by the city are animal control, permits, zoning and economic development. The City of Lumberton has several councils, committees, boards and commissions such as the Planning & Zoning Commission and the Industrial Development Corporation. The city operates the Lumberton Community/Senior Citizen Center. *See Exhibit 1.* According to Ms. Collins, the City of Lumberton has 30 budgeted positions for employment and a total budget of \$2,131,671 for fiscal year 2003.

(5) *The City of Lumberton has its own zip code and separate governmental listings in the local telephone book.* The zip code designated exclusively for the City of Lumberton is 77657. *See Exhibit 1.* According to Ms. Hedgwood, the U.S. Postal Service has just commenced operating a post office in Lumberton on Highway 96. Again according to Ms. Hedgwood, residential and business lists for the City of Lumberton are located in the Southwest Bell White and Yellow Pages Telephone Book, which contains a separate section for Lumberton City government telephone listings.

(6) *The City of Lumberton has its own commercial establishments and health facilities.* A substantial number of these businesses identify with the community by using "Lumberton" in their name, for example: Antique Mall of Lumberton, Lumberton Art & Frame Gallery, Lumberton Boat Storage, Lumberton Flower Shop, Lumberton Barber Shop, Lumberton Cabinet, Lumberton Chevron, Lumberton Culvert Sales, Lumberton Fitness Center, and Lumberton Tire and Muffler. Lumberton retail businesses including a wide variety of companies of numerous categories, such as Action Auto Sales, Morris Moore Autos, Jackie Baxter's Tire Co., Lubeman, Jimmy's Wrecker Service, My Computer Store,

Mac's Computer Supply, Premier Video, Allen Art Studio, Crawdad's Convenience Center, J&C Sports, Murel's Hardware & Mobile Homes, International Electrical, Inc., Fuller Food Stores, Watkins Products, Red Zone Paint Ballpark, and Boutte's Boudin. According to Ms. Collins, a Wal-Mart located in Lumberton is the city's biggest employer. Dining establishments in Lumberton include: Red Onion Restaurant, Catfish Cabin, Crazy Jose's Elena's Express, Novrozsky's, Sonic Drive-In, Rae Lynn's Tea Room. Banking services are provided by the Community Bank & Trust and Southtrust Bank. *See Exhibit 1.*

A number of health care providers are located in the City of Lumberton. *See Exhibit 1.* Medical services are available for community residents from many local doctors, some of whom practice with the following groups: Lumberton Family Clinic, Lumberton Eye Center, Lumberton Chiropractic Health, Christus St. Elizabeth Clinics, and Harvest Care Center of Lumberton. Dental care is provided by Lumberton Dental Center and Family Dental Care as well as by various other local dentists. Veterinary services may be obtained from Lumberton Veterinary Clinic and Countryside Veterinary Clinic.

Lumberton is also home to a number of religious organizations, such as Lumberton First Baptist Church, Lumberton Church of Christ, Lumberton United Pentecostal, Anchor Baptist Church, Infant Jesus Catholic Church, Candlestick Drive Baptist Church, Woodcrest United Methodist and First Baptist Church of Loeb. *See Exhibit 1.*

Civic organizations and clubs in Lumberton include the following: Lumberton Chamber of Commerce, Lumberton Lions Club, Lumberton Men's Civic Club, Lumberton Civic Women's League, Lumberton Masonic Lodge #1430, Lumberton Volunteer Fire-Rescue Services, and Veterans of Foreign War Post No. 8574. *See Exhibit 1.* Community activities and events that occur in the City of Lumberton include the Lumberton Annual Parade and Village Creek Festival. *See Exhibit 1.*

(7) *Lumberton is a separate and distinct advertising market from Beaumont.* According to Ms. Byerly of the *Hardin County News*, businesses in Lumberton advertise in the *Hardin County News* which enables them to reach the residents of Lumberton and does not involve directly Beaumont media sources. Lumberton businesses advertise predominantly with the newspaper. Residents may also access the City's webpage to learn about community events and news. Thus, the residents of Lumberton do not need to travel to Beaumont or seek out other media sources in order to find what is happening in their community. *See Exhibit 1.*

(8) *The City of Lumberton has its own library, and its police and fire protection are provided independent of any other jurisdiction.* The City of Lumberton operates the Lumberton Library, serving the local population. The Lumberton Library is open five days a week. It has computer and Internet access, meeting rooms, a video and book-on-tape collection and a career reference center. The library has programs for children and adults that are held several times during the week. *See Exhibit 1.*

Education for the children residing in the City of Lumberton is provided by the Lumberton Independent School District, headquartered in Lumberton. The Lumberton High School, Lumberton Middle School, Lumberton Intermediate School and Lumberton Primary School are located in Lumberton. *See Exhibit 1.*

The City of Lumberton maintains its own police and fire departments. The Lumberton Volunteer Fire-Rescue Services operates out of two stations and is a city department whose members are on a volunteer status. The department is composed of a fire chief and a combination of fire and emergency medical service with 30 trained volunteer personnel. The department provides fire, search and rescue, HAZ-MAT, extrication, suppression, and fire prevention. The Lumberton Police Department is composed of 13 police officers including a police chief and three civilian personnel providing protection to an

area of approximately ten square miles. Village Creek State Park is a heavily forested park located in Lumberton. The park offers nature trail hikes, educational programs, campsites and picnic areas. *See* Exhibit 1.

III. CONCLUSION

Grant of this Counterproposal is in the public interest because Lumberton will receive its first local service. The Counterproposal furthers the Commission's allotment priorities better than the petitioner's proposal for Vinton, Louisiana because the population of Lumberton (8,731) substantially exceeds that of Vinton (3,338). New 60 dBu service will be provided to 269,619 persons. Accordingly, the Commission should grant the Counterproposal.

Respectfully submitted,

TICHENOR LICENSE CORPORATION

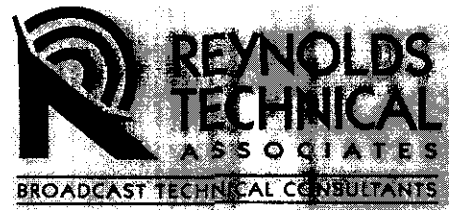
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September 30, 2002



ENGINEERING STATEMENT

**IN SUPPORT OF A
COUNTERPROPOSAL**

MM DOCKET 02-212

Tichenor License Corporation

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September, 2002

**Engineering Statement
In Support of a
Counterproposal
MM Docket 02-212
Tichenor License Corporation**

CONTENTS

FOR ENGINEERING EXHIBITS

1.	Statement of Engineers	1-6
2.	Table 1	Summary of Communities and Channels
3.	EXHIBIT E, FIGURE 1	Allocation Study for Channel 264C KLAT, Lumberton, Texas
4.	EXHIBIT E, FIGURE 2	KLAT 70 dBu Contour Map
5.	EXHIBIT E, FIGURE 3	Allocation Study for Channel 287C2 KLTO, Winnie, Texas
6.	EXHIBIT E, FIGURE 4	KLTO 70 dBu Contour Map
7.	EXHIBIT E, FIGURE 5	KLTO Gain/Loss Map
8.	EXHIBIT E, FIGURE 6	KLTO Remaining Services Study Map
9.	EXHIBIT E, FIGURE 7	Cumulative Gain/Loss Study

ENGINEERING STATEMENT

In Support of a
Counterproposal
MM Docket 02-212

Tichenor License Corporation

Summary of Channel Assignments

(Depicting all communities, channels, and modifications)

<u>COMMUNITY</u>	<u>PRESENT</u>	<u>PROPOSED</u>	<u>COMMENTS</u>
Lumberton, Texas	_____	264C	Requesting that the KLAT license be modified to change the community of license at its current site.
Winnie, Texas	264C	287C2	Delete channel 264C at Winnie and replace it with channel 287C2 (KLTO).
Crystal Beach, Texas	268A, 287A	268A	Crystal Beach will continue to be served by KSTB.

Engineering Statement
In Support of a
Counterproposal
MM Docket 02-212
KLAT (FM) – KLTO(FM)
Tichenor License Corporation

General

The instant counterproposal was prepared for Tichenor License Corporation ("TLC"), licensee of KLAT, channel 264C, Winnie, Texas, and KLTO, channel 287A, Crystal Beach, Texas. It is prepared and submitted in response to an NPRM for MM Docket 02-212 (see DA02-1866). TLC proposes to delete channel 264C at Winnie and subsequently allocate channel 264C at Lumberton, Texas. TLC requests that the license of KLAT be modified accordingly. The TLC proposal requires no change in the technical facilities of KLAT. However, the deletion of channel 264C at Winnie, Texas would leave that community without local service. Therefore, TLC proposes the deletion of channel 287A at Crystal Beach and the allotment of channel 287C2 at Winnie as a replacement signal. The allotment of channel 287C2 at Winnie is short spaced to the proposed allotment of channel 287A at Vinton, Louisiana by 75.55 kilometers. This is the point where the instant counterproposal is mutually exclusive with NPRM in MM Docket 02-212.

Methods

The TLC counterproposal is presented in sections, in which each channel or licensed facility where a change is proposed discussed individually. Both sections begin with an allocation or channel spacing study. Additional exhibits then support the proposed modification's technical compliance. Since no technical modification is required for the

deletion of channel 264C at Winnie, and its subsequent allotment at Lumberton, Texas, no gain/loss and remaining services studies were included.

All searches were performed on a V-Soft SearchFM program and verified with the EDX FMSR search program. The FCC F(50,50) contours were calculated using SoftWright's Terrain Analysis Package (TAP) Version 4.1.586. The studies were based on the latest technical data from the Commission's databases. Mapping, population counts, and gain/loss areas were conducted using a professional mapping program from MapInfo Corporation, Version 5.5. The program contains the exact community boundaries of the relevant cities. In all cases where community boundaries were used, the boundaries were cross-checked with the U.S. Census Bureau's TIGER maps.

The modification of KLTO on channel 287 required a class, community of license and antenna site change. Therefore, a gain/loss study for population and square kilometers and a demonstration of at least five remaining signals in the loss area are included.

The MX Relationship of KLTO (Ch 287C2) and Vinton, LA

The allotment of channel 287C2 as a replacement signal at Winnie is short to channel 287A at Vinton, Louisiana by 75.55 kilometers. Therefore, there is no way to chose allotment site restrictions at either Winnie or Vinton (or both) that will give the required spacing. In essence, these two proposed allotments of channel 287 are MX. Repeated studies of the spectrum for an allotment of a substitute channel at Vinton have resulted in a conclusion that no other channels are available. Based on the data included in the legal section of the instant counterproposal, the TLC proposal is superior and should be granted.

Nature of the TLC Counterproposal

A summary of all communities and their related channels (present and proposed) is included in Table 1 for reference. TLC proposes to delete channel 264C at Winnie and allot channel 264C at Lumberton, Texas (without any technical change) for use by KLAT. In order to accomplish this, a replacement channel, with a licensed facility, has to be provided at Winnie. KLTO presently operates on channel 287A at Crystal Beach. Channel 287A can be deleted at Crystal Beach and allotted at Winnie for use by KLTO without any spectrum changes other than the NPRM proposing its allotment to Vinton. The allotment of channel 264C at Lumberton for use by KLAT involves only the following modifications:

- I). KLAT - channel 264C (CH 264C, Winnie, Texas), Lumberton, Texas. The allotment of channel 264C creates no required spectrum changes other than a replacement signal at Winnie. No technical changes to KLAT are required for this change. To accomplish the channel 287C2 replacement allocation at Winnie, the following additional facility changes must occur.
 - A). KLTO -channel 287C2 (CH 287A Crystal Beach, Texas), Winnie, Texas. Presently KLTO, (with a Form 302 pending) serves Crystal Beach. However, when channel 264C is deleted at Winnie it will leave that community without local service. Crystal Beach is also served by KSTB(FM) and the deletion of channel 287A will not leave it without local service. When channel 287C2 is allotted to Winnie for use by KLTO Winnie can continue to receive local service. No additional spectrum

changes are required to allot channel 287C2 to Winnie, other than denial of the instant NPRM.

EXHIBITS EXPLAINED

KLAT

Exhibit E, Figure 1 is an allocation study depicting the spacing to all known FM facilities that are affected by the allotment of channel 264C at Lumberton. The study depicts no on-channel and adjacent channel modifications required. Exhibit E, Figure 2 is a map generated using the programs and techniques in the Methods section of the instant counterproposal. This study depicts the KLAT channel 264C allotment coordinates, a near maximum class C 70 dBu contour, and the community boundaries of Lumberton.¹ It demonstrates full compliance with §73.315 of the Rules.

KLTO (AD 287C2)

Exhibit E, Figure 3 is an allocation study depicting the spacing to all known FM facilities that are affected by the substitution of channel 287C2 for channel 287A with new reference coordinates, change in class and community of license for KLTO. The study depicts no on-channel and adjacent channel modifications required other than the denial of the allotment of channel 287A at Vinton. Exhibit E, Figure 4 is a hypothetical 70 dBu contour map for the proposed allotment of channel 287C2 at Winnie. It demonstrates full compliance with §73.315 of the Rules.

Exhibit E, Figure 5 is a gain/loss map that shows the area gained and lost by the proposed allotment, as well as the population both gained and lost. Exhibit E, Figure 6 is a

¹ KLAT operates with 100 KW, and an antenna HAAT of 595 meters in lieu of 600 meters. Therefore the 70 dBu contour is 67.5 kilometers instead of the maximum 67.7 kilometers.

remaining services study depicting that the loss area will continue to receive a minimum of five signals.

The TLC Counterproposal Gain-Loss Area

Exhibit E, Figure 7 is a tabulation of the gain/loss areas for the only facility that requires an antenna location or class change. Stations that are proposed to have only their present community of license changed and require no technical change (KLAT) are omitted in this study. It is assumed that the service KLAT would provide with a change in community of license only would not deviate from their current coverage.

The study includes only one facility (KLTO) that will have a deviation in its coverage area proposed by the instant counterproposal. Listed in the study are KLTO loss and gain area in square kilometers and the population gains and losses in number of persons according to the U.S. Census Bureau's estimated 2000 population figures. It depicts a cumulative total loss area of 49 square kilometers and a gain area of 4,439 square kilometers. This counterproposal's net population gain is 238,941.

Conclusion

The TLC counterproposal has demonstrated that it is in technical compliance with the present Commission Rules concerning such actions. The counterproposal produces a new first local service at Lumberton, Texas, a community of 8,731 persons. The counterproposal creates a net increase in new 60-dBu service to 4,390 square kilometers and 269,619 persons.

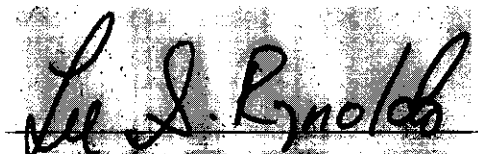
Statement of the Consultants

The instant engineering portion of a counterproposal was prepared for Ticenor License Corporation and supports a counterproposal to MM Docket 02-212, RM-10516. It was developed by Reynolds Technical Associates (RTA) and may not be used for purposes other than submission to the Commission by TLC.

It may not be reproduced in its entirety, or in part, by anyone (other than from the Commission) without the written consent of RTA.

The information in this application is compiled from the most recent Commission and outside data. RTA is not responsible for errors resulting from incorrect data or unpublished rule and procedure changes.

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September 27th, 2002

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**Engineering Statement
In Support of a
Counterproposal
MM Docket 02-212, RM-10516
Tichenor License Corporation**

Allocation Study – Ch 264C Lumberton, TX (KLAT)
[Depicting no spectrum changes required to allot Ch 264C]
(Using KLAT licensed coordinates as reference)

REFERENCE				DISPLAY DATES			
30 03 05 N				DATA 09-20-02			
94 31 37 W				SEARCH 09-26-02			
				CLASS = C			
				Current Spacings			
----- Channel 264 - 100.7 MHz -----							
Call	Channel	Location	Dist	Azi	FCC	Margin	
Community of Lumberton				TX	39.24	52.8	
Reference Coordinates:							
North Latitude: 30-15-52							
West Longitude: 94-12-06							
KLATFM LIC 264C Winnie				TX	0.00	0.0	290.0 -290.00
Of Note:							
Licensed site of KLAT.							
Also site reference for instant allotment							
RADD	ADD 264A	Palacios	TX	225.68	225.1	226.0	-0.32
ALLO	VAC 267C2	Sulphur	LA	106.24	71.4	105.0	1.24
KPXI	LIC 264C3	Overton	TX	238.32	347.9	237.0	1.32
KLOL	LIC 266C	Houston	TX	108.66	241.1	105.0	3.66
KILTFM	LIC 262C	Houston	TX	108.66	241.1	105.0	3.66
KMVLFM	LIC 263C3	Madisonville	TX	180.28	311.2	176.0	4.28
KZBL	LIC 264C3	Natchitoches	LA	241.69	35.9	237.0	4.69
ALLO	DEL 261A	Corrigan	TX	108.75	344.6	95.0	13.75
ALLO	VAC 261A	Corrigan	TX	108.75	344.6	95.0	13.75
KQBB	LIC 263A	Center	TX	187.44	7.8	165.0	22.44
KQBB.C	CP 263A	Center	TX	187.44	7.8	165.0	22.44
KKGB	LIC 267C3	Sulphur	LA	120.32	79.2	96.0	24.32
WTGE	LIC 264C	Baton Rouge	LA	314.50	83.6	290.0	24.50
KASEFM	LIC 264C	Austin	TX	316.78	276.2	290.0	26.78
ALLO	VAC 265A	Elkhart	TX	202.10	326.8	165.0	37.10
ALLO	USE 261C2	Lufkin	TX	152.09	351.5	105.0	47.09
KUEZ	LIC 261C2	Lufkin	TX	152.09	351.5	105.0	47.09



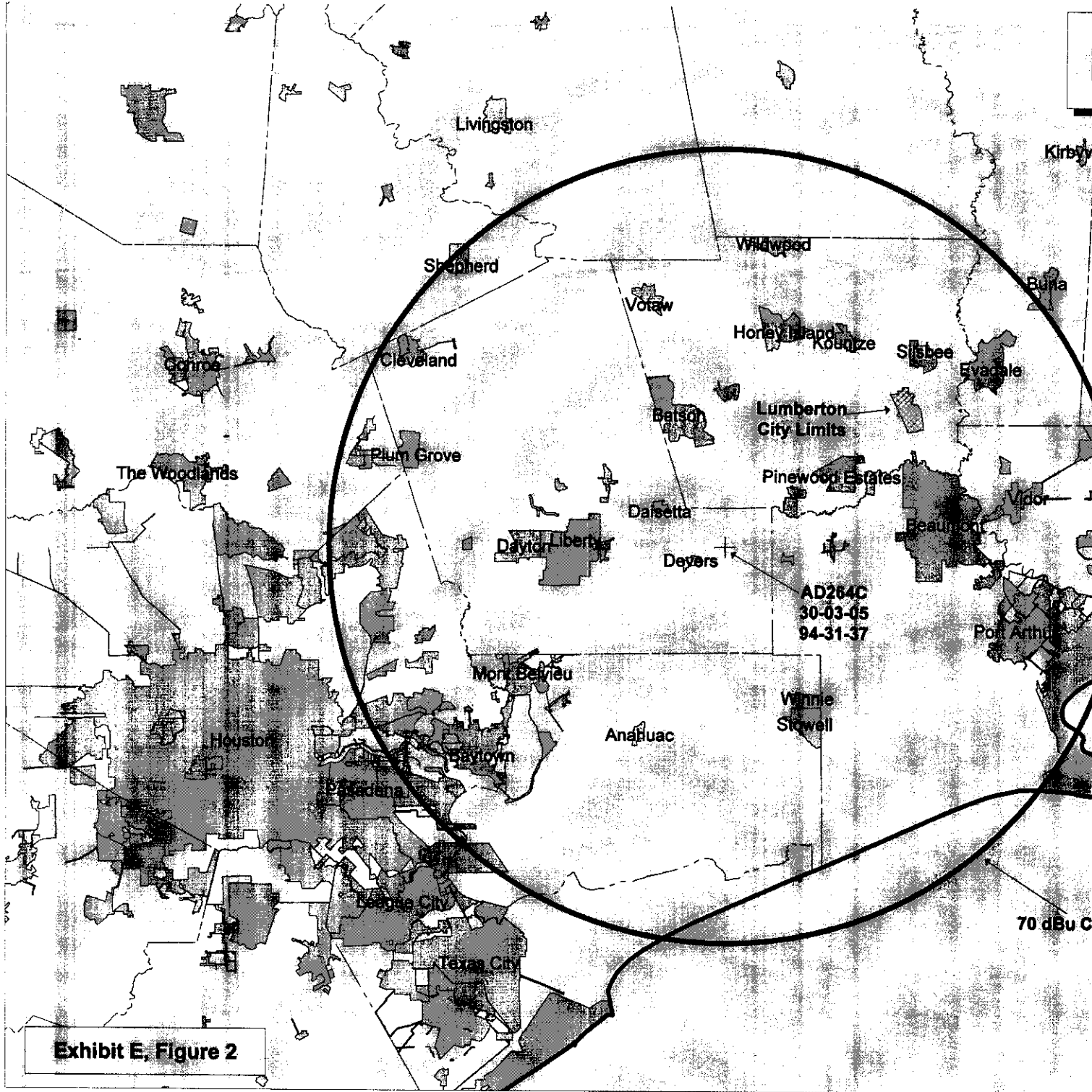


Exhibit E, Figure 2

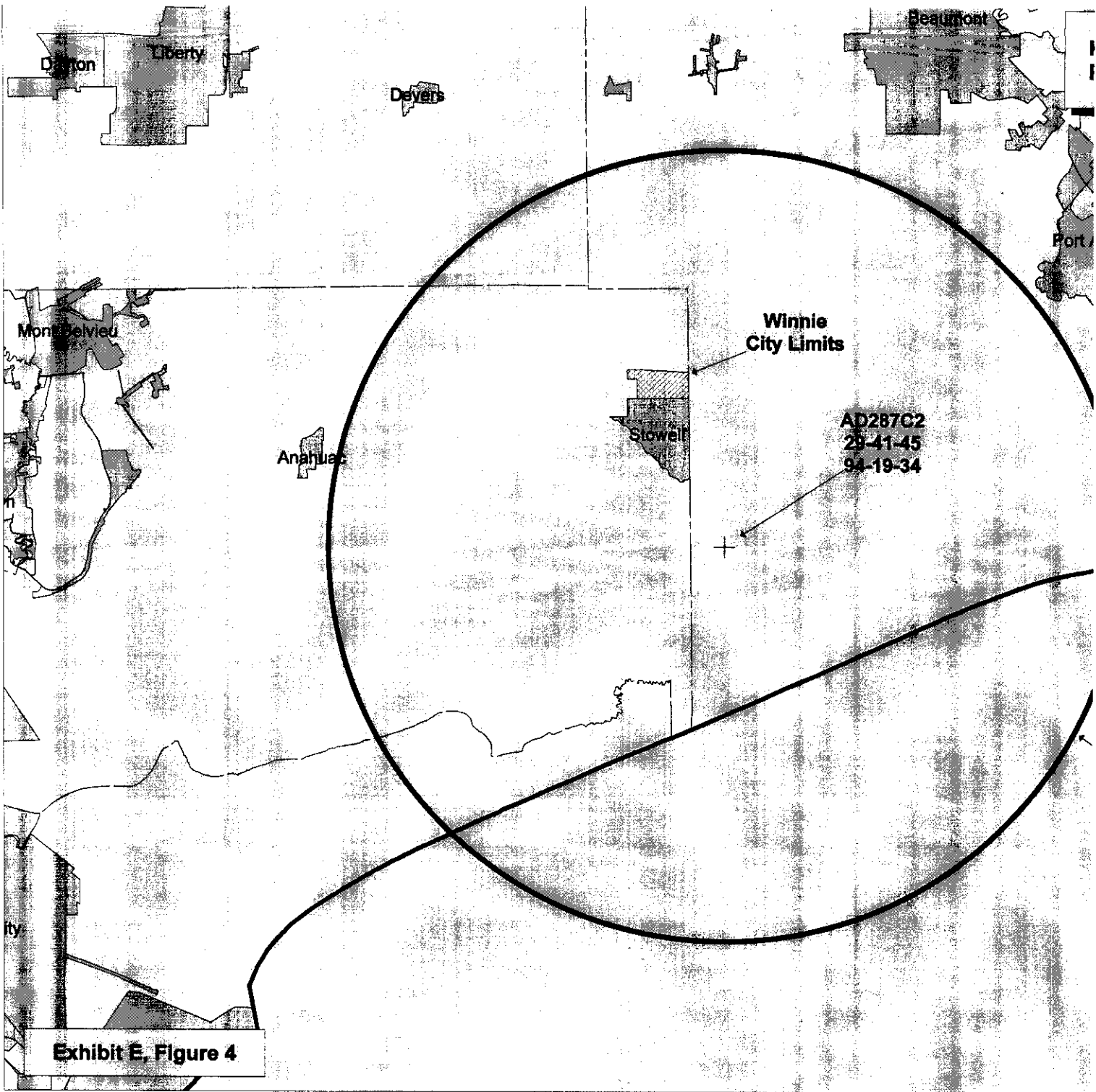
**Engineering Statement
In Support of a
Counterproposal
MM Docket 02-212, RM-10516
Tichenor License Corporation**

Allocation Study – Ch 287C2 Winnie, TX (KLTO)
[Depicting spectrum changes required to allot Ch 287C2]
(Using proposed Ch 287C2 allotment coordinates as reference)

REFERENCE				CLASS = C2		DISPLAY DATES	
29 41 45 N				Current		DATA	09-20-02
94 19 34 W				Spacings		SEARCH	09-26-02
----- Channel 287 - 105.3 MHz -----							
Call	Channel	Location		Dist	Azi	FCC	Margin

Community of Winnie			TX	14.82	338.1		
Reference Coordinates:							
North Latitude: 29-49-11							
West Longitude: 94-23-01							
KLTO.C CP 287A	Crystal Beach		TX	28.60	221.2	166.0	-137.40
Of Note:							
Present operating site of KLTO @;							
NL: 29-30-07, WL: 94-31-15							
ALLO RSV 287A	Crystal Beach		TX	29.63	220.7	166.0	-136.37
Of Note:							
Allotment of Ch 287A reference.							
KZWA LIC 287C2	Lake Charles		LA	93.46	61.2	190.0	-96.54
Of No Concern:							
Channel deleted and allotted to							
Moss Bluff, LA on Ch 285C3							
RADD ADD 287A	Vinton		LA	90.45	52.3	166.0	-75.55
Of Concern:							
Mutual Exclusive short space to							
allotment proposed in instant NPRM.							
<u>MX point with instant counterproposal</u>							
KLTO LIC 285A	Galveston		TX	51.82	230.0	55.0	-3.18
Of Note:							
Licensed site of KLTO before being							
Allotted to Crystal Beach							
KYKS LIC 286C	Lufkin		TX	187.99	350.7	188.0	-0.01
KEZB LIC 287C3	Hempstead		TX	177.54	292.9	177.0	0.54
KHCBFM LIC 289C	Houston		TX	114.48	263.2	105.0	9.48
KPTY.C CP 285C3	Missouri City		TX	100.99	274.2	56.0	44.99
ALLO VAC 285C3	Missouri City		TX	109.33	261.9	56.0	53.33





Gain Area = 4,439 sq. km
Loss Area = 49 sq. km
Pop. Gain = 269,619
Pop. Loss = 678

LOSS AREA

KLTO
60 dBu Contour

GAIN AREA

AD287C2
29-31-05
94-10-04

KLTO
29-30-07
94-31-15

GULF OF MEXICO

Exhibit E, Figure 5

- 1 - KTBZ
- 2 - KIKK
- 3 - KMHX
- 4 - KBXX
- 5 - KODA
- 6 - KILT
- 7 - KLGL
- 8 - KRBE
- 9 - KMJQ
- 10 - KHCB

LOSS AREA

GULF OF MEXICO

Exhibit E, Figure 6